

COASTAL CONSERVANCY

Staff Recommendation

May 19, 2011

ROCKVILLE TRAILS ESTATES ACQUISITION AND MANAGEMENT PLAN

Project No. 10-060-01

Project Manager: Melanie Denninger

RECOMMENDED ACTION: Authorization to disburse up to \$3,100,000 to the Solano Land Trust toward acquisition of approximately 1,500 acres of the Rockville Trails Estates property and preparation of a property management plan.

LOCATION: Watersheds of Green Valley Creek and Suisun Creek in western Solano County

PROGRAM CATEGORY: San Francisco Bay Area Conservancy Program

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Blue Ridge-Berryessa Natural Area](#)

Exhibit 3: [Project Photos](#)

Exhibit 4: [Vesting Tentative Map](#)

Exhibit 5: [Upland Habitat Goals Biodiversity Portfolio Report](#)

Exhibit 6: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$3,000,000 (three million dollars) to the Solano Land Trust (“the Land Trust”) toward acquisition of approximately 1,500 acres of the Rockville Trails Estates property, (“the property”) (shown in Exhibit 1, Part 2, which is attached to the accompanying staff recommendation), for the purposes of preserving open space and scenic resources, plant and wildlife communities, and other natural resources; protecting watersheds; and enabling public access that is compatible with those purposes; and \$100,000 (one hundred thousand dollars) for preparation of a management plan for the property. This authorization is subject to the following conditions:

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1. Prior to disbursement of any Conservancy funds, the Land Trust shall submit for review and approval by the Executive Officer of the Conservancy (“the Executive Officer”):
 - a. All relevant acquisition documents, including but not limited to the appraisal, environmental assessments, escrow instructions, title reports and documents of title necessary for the purchase of the property.
 - b. Evidence that sufficient funds are available to complete the acquisition.
 - c. Evidence that the location and configuration of the 80 acres to be retained by the seller will not compromise the conservation purposes for which the Conservancy funds are being provided.
 - d. An interim property stewardship plan, budget, and schedule describing the actions that the Land Trust will take, prior to completing a more exhaustive long-term management plan, to monitor and maintain existing natural resources on the property and any natural resource-compatible public access, and any grazing proposed for the property.
 - e. A plan showing the design and placement of signs acknowledging Conservancy funding for the acquisition.
2. The Land Trust shall complete the acquisition of the property by March 31, 2013.
3. The Land Trust shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
4. Upon close of escrow involving the use of Conservancy funds, the entirety of the property shall be owned in fee by the Land Trust.
5. The Land Trust shall permanently dedicate the property for the purposes of preserving open space and scenic resources, plant and wildlife communities and other natural resources, protecting watersheds, and enabling public access that is compatible with those purposes by recording an offer to dedicate or other instrument acceptable to the Executive Officer.
6. Upon completion of the long-term management plan for which the Conservancy is providing funding and upon request of the Executive Officer, the Land Trust shall permit development and public use of a segment of the Bay Area Ridge Trail through the property as designated in the management plan.
7. The Land Trust shall submit a written monitoring report to the Executive Officer by final close of escrow on acquisition of the 1500 acres and at five-year intervals thereafter identifying the conditions and circumstances of the property as relevant to the purposes of preserving open space and scenic resources, plant and wildlife communities, and other natural resources; protecting watersheds; and enabling public access that is compatible with those purposes.”

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Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
3. The Solano Land Trust is a nonprofit organization existing under the provisions of Section 501(c)(3) of the United States Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.

PROJECT SUMMARY: Staff is recommending that the Conservancy authorize the disbursement of an amount not to exceed \$3,100,000 to the Solano Land Trust (“the Land Trust”) toward acquisition of approximately 1,500 acres of the Rockville Trails Estates property (“Rockville” or “the property”) for the purposes of preserving open space and scenic resources, plant and wildlife communities, and other natural resources; protecting watersheds; and enabling public access that is compatible with those purposes; and for preparation of a management plan for the property. The landowner would retain approximately 80 acres (additional to the 1,500 acres) in the northeast corner of the property for development of a maximum of four homes in accordance with current zoning. The total purchase price is expected to be \$13.5 million. Absent acquisition for conservation purposes, the property is subject to development of 370 residences on ridge lines distributed over much of the property in accordance with a Vesting Tentative Map approved by the Solano County in 2008 (Exhibit 4). As of this writing, the landowner is in the process of settling a related lawsuit with terms that may provide for partial acquisition of the property and a reduction of the number of permissible residences on the remainder, but without Conservancy funding substantial development would remain a risk. Staff will provide an update at the Conservancy’s May 19 meeting.

Acquisition

Acquisition of Rockville is a priority for Conservancy assistance because it is a large, scenic, biologically rich and diverse, strategically located property on which a proposed six-mile segment of the Ridge Trail is located, and which is threatened with development of some 370 residential units in accordance with a Vesting Tentative Map (Exhibit 4) and Environmental Impact Report (EIR) approved by Solano County (“the County”) in 2008. Acquisition of the property will help implement the Conservancy’s Strategic Plan, as well as the multi-agency vision for the Blue-Ridge Berryessa Natural Area (“BRBNA”) and the multi-agency Solano Multispecies Habitat Conservation Plan (“Solano MHCP”) and other regional plans. The property’s conservation values and the development threat are discussed further in “Site Description” and “Project History” below.

According to the terms of the purchase and sale agreement between the Land Trust and the seller, the property is to be acquired in two phases. At this writing, the first phase—acquisition

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of 330 acres on the southwest side of the property—is expected to be completed by May 30, 2011. The funding sources for this phase of the acquisition are the City of Fairfield Community Facilities District and the Solano County Green Valley Open Space Management District. The second phase of acquisition encompasses the remainder of the 1,500 acres and, under the terms of the purchase and sale agreement, is scheduled to be completed by the end of December 2011, but may be completed as late as March 31, 2013 if acquisition funding has been committed but delivery of funding has been delayed. The Conservancy's proposed contribution would be used in this phase of the acquisition. The Conservancy's grant authorization will expire on March 31, 2013 if, due to lack of funding or other issues, the Land Trust has not been able to close escrow on acquisition of the property.

Land Trust funding requests to the Betty and Gordon Moore Foundation and the Wildlife Conservation Board are pending. The Land Trust is seeking additional acquisition funds from public and private sources and has initiated a local fund-raising campaign. Prior to close of escrow, the Community Facilities District is also expected to provide a \$1,000,000 endowment for management of the property. Also prior to close of escrow on the second phase of the acquisition, 80 contiguous acres in the northeast corner of the 1580-acre property will be identified for retention and development of up to four home sites by the seller (leaving 1500 acres for the Land Trust acquisition). In accordance with the purchase and sale agreement, access to the 80 acres may be over an existing unpaved ranch road on the property to be acquired by the Land Trust or along a much shorter route from the terminus of a paved road to the east in Suisun Valley.

Preparation of a Property Management Plan

Preparation of a management plan for the property is a priority for the Conservancy because proper management is essential to ensure that the purposes of the acquisition are realized. The management plan will include the following: a baseline assessment of existing habitat and ecological functions and measures needed to protect and restore them (including anticipating species migration as climate changes occur); the role of any grazing in natural resource management; detailed design of Ridge Trail improvements, including a staging area, amenities, and connections to adjacent trail segments; and identification of fire-management measures. The Land Trust expects to implement the management plan with funding from a \$1,000,000 endowment from the City of Fairfield Community Facilities District, augmented by grazing fees and, for certain capital improvements, grants and mitigation funds (when consistent with the terms under which acquisition funding has been provided).

Qualifications of the Land Trust

The Land Trust is celebrating its twenty-fifth year of preserving and managing natural resources and agricultural land in Solano County. To-date, it has permanently protected over 20,000 acres. The Land Trust owns 10,000 acres in fee, most of which are open to the public. The Land Trust has a staff of property managers, restoration ecologists and volunteer coordinators overseeing its landholdings. The Conservancy has provided assistance to the Land Trust with land acquisitions, management and restoration planning and implementation, and construction of a nature/educational center. On all of these projects, the Land Trust has shown itself to be a capable and effective project manager.

Site Description: The 1,580-acre Rockville Trails Estates property—1,500 acres of which is proposed for acquisition by the Land Trust—lies in the grass- and oak-covered hills of the Vaca Mountains of western Solano County (Exhibit 1), within the southern end of the 800,000-acre Blue Ridge-Berryessa Natural Area (BRBNA) (Exhibit 2), a largely contiguous swath of open space and biologically diverse habitat that is being assembled and protected by a consortium of local, State and federal agencies and private foundations. The Rockville property rises from about 160 feet above sea level at its southern boundary along Rockville Road to 760 feet above sea level at its highest point near its northern boundary. It lies in the watersheds of two streams with anadromous fisheries: Green Valley Creek to the west and Suisun Creek to the east. Agricultural and rural residential properties are situated along the property's eastern and western boundaries; large grazing properties abut to the north and northwest; and the 630-acre Rockville Hills Park managed by the City of Fairfield lies across Rockville Road to the south. Existing trails in the park provide sweeping views of the property.

The Wappo Indians inhabited the area for hundreds of years and a grinding stone has been found on the property. More recently, the principal use of the property has been for grazing cattle. The only improvements are ranch roads, livestock ponds, wells, and electrical lines. While the native grassland has converted to non-native grasses as is typical in the grazed grasslands of California, the Land Trust intends to use grazing management techniques proven on its other properties to bring back some of the native plants and associated animals. Other native plant communities are extensive on the property, with an estimated 434 acres of blue oak woodland and 116 acres of montane hardwoods. Remnants of mixed montane chaparral are also present, as are vernal pools, grasslands, coast live oak forest and riparian corridors. The photographs attached as Exhibit 3 show some of the scenic and habitat characteristics of the property.

In addition to being part of the BRBNA, the following county-wide and regional plans identify the property and its immediate environs as a priority for conservation:

- The June 2009 Administrative Draft Solano Multispecies Habitat Conservation Plan (Solano MHCP) identifies two “key corridors” for habitat within the property and also identifies it as being within “priority drainages and watershed conservation areas.”
- Staff analysis of the property using the geographic information systems database and analytical tools developed by the San Francisco Bay Area Upland Habitat Goals Project (“UHG”), a multi-agency, science-based effort to identify a network of habitat needed to preserve biodiversity in the Bay Area, and which the Conservancy helped fund, identifies the property as “highly suitable for conservation,” with most of it contributing to meeting vegetation conservation targets for blue oak woodlands, montane hardwoods, coast live oak forest, mixed montane chaparral and hot grasslands in the western Vaca Mountains. The Biodiversity Portfolio Report generated from the UHG analytical tool is attached as Exhibit 5.
- The six-mile segment of the Ridge Trail planned for the property has been part of the Bay Area Ridge Trail Council's adopted alignment since 1989 and is intended to connect the existing Ridge Trail segment in Rockville Hills Park northward and westward toward the Ridge Trail alignment in Napa County.

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- The western hills of Solano County, including the Vaca Mountains in which the property is located, are identified as a “priority conservation area” by the Association of Bay Area Governments in its development and conservation strategy for the Bay Area, known as “FOCUS.”

The 1,580-acre property encompasses the following Solano County Assessor’s Parcel Numbers (APNs): 0153-060-010, -020, -030; 0153-070-010, -020; 0153-080-010, 020, 030, 040, 050; 0153-140-040; 0153-240-010; and 0153-250-140. The specific APNs included in the 1,500-acre acquisition will be determined after the 80 acres to be retained in the northeast corner of the property by the landowner have been precisely identified and any lot-line or other boundary adjustments have been made.

Project History: Local residents have been fighting development proposals for the property since 1989 and have been paying into City of Fairfield and Solano County open space funds since the early 1990s with the hope of making conservation acquisitions in the area. In 2008, Solano County approved a Vesting Tentative Map and Environmental Impact Report (EIR) that would allow the owners to build 370 residential units on the ridges. Later that same year, the Green Valley Landowners Association and the Sierra Club sued the County over alleged shortcomings of the EIR.

In 2009, the owner of the property approached the Land Trust regarding his interest in selling the westernmost third, while continuing to pursue residential development of the remainder. The Land Trust first asked for the Conservancy’s funding assistance for this partial purchase. However, as the natural resource and open space values of the whole property were further explored, the Land Trust, Conservancy staff and other potential funders determined that protection of the whole property was important for conservation of regional biodiversity, and purchase of only the western section would not provide adequate public benefit. As of this writing, the Land Trust, the seller, and the parties to the lawsuit now appear to be close to agreement on settlement terms which provide for the acquisition by the Land Trust of 330 acres and development restrictions on the remainder of the property.

The regional goals and history of the project and larger BRBNA are discussed further in the “Realization of prior Conservancy goals” subsection of “Consistency with Conservancy’s Project Selection Criteria & Guidelines.”

PROJECT FINANCING

Project costs include an estimated \$13,564,000 for the acquisition and associated costs, \$100,000 for preparation of a management plan, and \$1,000,000 for a management endowment, for a total of \$14,664,000 excluding in-kind services provided by or to the Land Trust.

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Coastal Conservancy	\$ 3,100,000
Resources Legacy Fund	10,000
Solano Land Trust	5,200
City of Fairfield Community Facilities District (contribution approved)	3,550,000
Green Valley Open Space Management District (contribution approved)	500,000
Wildlife Conservation Board (grant requested)	3,000,000
Gordon and Betty Moore Foundation (grant requested)	1,500,000
Proposed additional local contributions and State and federal grants	<u>\$2,998,800</u>

Total Project Cost	\$14,664,000
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The anticipated source of Conservancy funds is the FY 10/11 appropriation to the Conservancy from the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” (Proposition 84) (Public Resources Code Sections 75001 *et seq.*). Consistent with Section 75060, the acquisition of the Rockville Trails Estates property by the Land Trust would protect natural habitat values of the San Francisco Bay watershed.

Proposition 84 also requires that, for acquisition projects that protect natural resources, the Conservancy assess whether the project meets at least one of the criteria specified in Section 75071(a)-(e). The proposed acquisition satisfies four of the five specified criteria: landscape/habitat linkages (Section 75071(a)), watershed protection (Section 75071(b)), properties that support relatively large areas of under-protected major habitat types (Section 75071(c)), and properties for which there is a non-state matching contribution toward the acquisition, restoration, stewardship or management costs (Section 75071(e)). See “Project Summary” and “Project Description” above for information related to these criteria.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is consistent with the provisions of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165, which state that the Conservancy may award grants in the nine-county San Francisco Bay Area to help achieve stated goals. Consistent with Section 31162(b), the proposed project will help “to protect...natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional importance.” The Rockville property acquisition will result in the protection of the grassland, blue oak woodland, mixed hardwood and montane chaparral plant communities on the property and of the wildlife corridors that it provides.

Section 31163(a) provides that “any acquisition of real property by the Conservancy pursuant to this chapter shall be from willing sellers.” Consistent with this section, the sellers of the Rockville property have freely entered into a purchase and sale agreement with the Land Trust, a private nonprofit organization with no ability to force the transfer of title.

The Rockville acquisition satisfies the criteria for determining project priority under Section 31163(c), since the project has the following characteristics: it serves a regional constituency in

that the project will help preserve sensitive natural communities and also provides scenic resources and an approximately 6-mile segment of the nine-county Ridge Trail; it can be completed within approximately one year; it provides the opportunity to protect the natural and scenic resources on the property that could otherwise be developed in accordance with a County-approved tentative subdivision map; and it includes substantial matching funds.

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 10, Objective D** of the Conservancy's 2007 Strategic Plan, the proposed project would result in protection of approximately 1500 acres of upland wildlife habitat, connecting corridors, scenic areas, and other open-space resources of regional significance, in keeping with the property's inclusion in the BRBNA and as documented in the Draft Solano MHCP and the UHG.

Consistent with **Goal 10, Objective J** of the Conservancy's 2007 Strategic Plan, the proposed project would result in development of a management plan to control non-native invasive species that currently dominate the grassland portion of the property.

Consistent with **Goal 11, Objective C** of the Conservancy's 2007 Strategic Plan, the proposed project would increase the amount of land accessible to the public and provide a corridor for an approximately six-mile proposed segment of the Ridge Trail.

Consistent with **Goal 11, Objective F** of the Conservancy's 2007 Strategic Plan, the proposed project would result in detailed design for approximately six miles of the Ridge Trail, and conceptual design for connections to adjacent trail segments.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on June 4, 2009, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The project has widespread public support, as demonstrated by letters of support provided by Congressman George Miller, State Senator Lois Wolk, Assemblymember Mariko Yamada, Solano County Supervisors John Vazquez and James Sprong, the Solano County Administrator, the City of Fairfield City Manager, the Bay Area Ridge Trail Council, the Solano Economic Development Corporation, the Fairfield-Suisun Chamber of Commerce, the Green Valley Landowners Association, the Blue Ridge Berryessa Conservation Partnership, the Solano and Suisun Resource Conservation Districts, and the American Land Conservancy. Letters of support are attached as Exhibit 6.

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4. **Location:** The proposed project is located in Solano County, within the jurisdiction of the San Francisco Bay Conservancy Program.
5. **Need:** Acquisition and protection of the Rockville property is unlikely to occur without Conservancy funding. All available funding sources are already being tapped to provide the match to proposed Conservancy funds.
6. **Greater-than-local interest:** The proposed project is of regional importance because it would implement the landscape-scale BRBNA, protect wildlife corridors identified in the Solano MHCP, make property available for a segment of the nine-county Ridge Trail, and would implement the UHG's targets for preservation of regional biodiversity.
7. **Sea level rise vulnerability:** The Rockville property is not vulnerable to rising sea level, as it is located some 10 miles inland from the San Francisco Bay Delta and lies between 160 and 760 feet above sea level.

Additional Criteria

8. **Urgency:** The County has approved development of 370 residential lots distributed over much of the Rockville property (Exhibit 6). While the development climate is poor, the Land Trust has evidence that potential developers are still expressing interest in obtaining options. If a developer obtains an option, acquisition for conservation purposes will become further complicated. Development in accordance with the approved Vesting Tentative Map would drastically reduce the conservation values. Public access would also be delayed until development occurs and associated development obligations are triggered.

Much of the funding for the acquisition has been identified. If the acquisition is not completed within the next six months, the funders may not be able to make their anticipated contributions.
10. **Leverage:** See the "Project Financing" section above.
11. **Conflict resolution:** Acquisition of the Rockville property will end years of conflict over the potential impacts of proposed development on natural resources at this site.
14. **Realization of prior Conservancy goals:** The proposed project is located within the southern end of the BRBNA. During the past decade, the Conservancy has been working with local State and federal agencies, the University of California's Natural Reserve System and private conservation funders to preserve and restore the BRBNA and make it available to the public for uses compatible with its natural resources. The Conservancy has authorized grants for BRBNA projects including community-based habitat restoration, watershed restoration, design of shoreline trails, acquisition of several properties, and development of an environmental education camp. Additional projects in the BRBNA are being investigated by the Conservancy, including acquisition of the southern portion of the Vallejo Lakes property just west of the property that is the subject of this staff recommendation.
16. **Cooperation:** The proposed project entails cooperation and funding from the Conservancy, the Land Trust, the Green Valley Open Space Management District, the City of Fairfield Community Facilities District, the Resources Legacy Fund, and the Bay Area Ridge Trail Council, with additional participation requested of the Gordon and Betty Moore Foundation and the Wildlife Conservation Board.

17. **Vulnerability from climate change impacts other than sea level rise:** The degree to which the property's natural resources are vulnerable to climate change is currently uncertain; however, the range of elevations and aspects of the property present opportunities for migration of flora and fauna to cooler locations within the property, and the position of the property within identified wildlife corridors present opportunities for species to migrate northward across the property to cooler habitat. The size of the property and its connections to the larger BRBNA suggest that its resilience to climate change will be high.

COMPLIANCE WITH CEQA:

Land acquisition for the purpose of preserving the land in its natural condition and providing public access is categorically exempt from the California Environmental Quality Act (CEQA), under 14 California Code of Regulations Section 15313, Acquisition of Land for Wildlife Conservation Purposes; and Section 15325, Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions. Consistent with the provisions of these sections, the purposes of the Rockville acquisition are to preserve sensitive natural resources in their natural condition and to transfer ownership to a conservation organization, with future use restricted to natural resource protection and compatible public access and grazing.

Preparation of a management plan is also categorically exempt under Section 15306, which exempts basic data collection and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource. Preparation of the Rockville property management plan will not entail serious or major disturbance to the property.

Staff will file a Notice of Exemption following Conservancy authorization.